

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RACHEL B. SAUNDERS,
Plaintiff,
v.
COMMISSIONER OF SOCIAL SECURITY,
Defendant.

Case No. C18-5377RSL

ORDER GRANTING
ATTORNEY'S FEES AND
EXPENSES

For the reasons set forth in the parties' "Stipulated Response to Fees" (Dkt. # 27) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, *et seq.*, and good cause shown, IT IS HEREBY ORDERED AS FOLLOWS:

Plaintiff is here by awarded \$6,526.28 in fees and \$104.35 in expenses under the EAJA. Under Astrue v. Ratliff, 560 U.S. 586, 595-98 (2010), EAJA fees awarded by this Court belong to the plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c) (2014)). Any EAJA fees should therefore be awarded to plaintiff and not to plaintiff's attorney. If, after receiving the Court's EAJA fee order, the Commissioner of Social Security (1) determines that plaintiff has assigned her right to EAJA fees to her attorney; (2) determines that plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program; and (3) agrees to waive the requirements of the Anti-Assignment Act (31 U.S.C. § 3727 (1982)), then the EAJA fees will be made payable to plaintiff's attorney. However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the

ORDER GRANTING ATTORNEY'S FEES AND EXPENSES - 1

1 requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset will be paid
2 by a check made out to plaintiff but delivered to plaintiff's attorney.

3 DATED this 3rd day of December, 2021.
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6 Robert S. Lasnik
7 United States District Judge
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